JW 8/5

Previous references.

912
~~190~~.
(Courts)

File No. 213-12

Serial Nos. 1-4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

Part B. for Mar. 13.

SUBJECT.

Enquiry regarding the levy in Mysore of add... Court fee on decrees of British Indian Courts presented in the State Court for execution

1) From the ~~Registrar Chief Court~~ H. A. Resident no 1194 dt 21.2.13
Forwards a letter from the Dt. Bride Thana on the above subject

2) To the Registrar Chief Court no 2519 dt 26-2-13
~~States that~~ Enquires whether any additional Court fee is levied

3) From the Same officer no ~~X~~ 303/718 dt 5-3-13
States that no additional court fee is levied in the matter

4) From H. A. Resident No 1198 dt 13-3-13
States that no additional Court fee is levied

G. R. S. 58

Hadgraw 3/1/12

G.R.S. 11] 1912.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 213 of 1912-13

FILE HEADING.

Enquiry whether an additional Court-fee is levied on a British Court decree when it is presented in a Native State Court for execution

From

The Jr. A. Resident

No. 1194 Dated 21.2.13 Received 22.2.13

Diary No. 2295	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards copy of a letter from the Dist. Judge, Thana, to the Resident in Mysore making the enquiry and requests that the information required may be furnished to the Residency.

NOTES AND ORDERS.

1) Subd. with a draft to the Registrar, Chief Court, making the enquiry.

KQ-129

22/2 HH 24/2/13

2) Issue

SR 24/2/13

P.T.O

NOTES—First Sheet.

GPB—30,000—12-3-11

R. S. 12]

General and Revenue Secretariat.

Courts File No. 213 of 1912-13

Serial No.	
2	To the Registrar, Chief Court No J 2519 Dt 26th Feb'y 1913 Enquires whether an additional court fee is levied on a British Court decree when it is presented for execution in any court in this State
3	From the Same Officer No 3030/218 Dt 5th March 1913 States that no such additional fee is levied either here or in the courts of the C & M. Sts and adds that the practice in Madras is to levy no additional fee on decrees passed by the courts in native States and sent there for execution. ~~The Residency called for the information~~ (3) Subo with a draft to the Residency intimating the practice in Mysore. Ks.-129 SW 8/3/1913 Dy Secy) SPL 10/3 Secy). Dmurgan 10/3 1st Comme WB 10/3 Dmurgan 10/3 Draft appd by Sec 10/3 Councillor 11.3.13 WB 12/3 Dmurgan 12/3 SPL 12/3

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

Cl. File No. 213 of 1912-13

Serial No.	
4.	To The F. A. Resident No Pol 749 dt 13-3-13. Informs that no such fee is levied or required to be levied in the Courts of the State.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

DIARY No. J.22.95

10/2-1913

SECTION - Courts

Letter No. 341, dated the 11th February 1913, from the District Judge, Thana, to the Resident in Mysore.

A question has arisen whether the decrees passed by - - Civil Courts in Native States when presented for execution in Courts in the British Territory should be stamped with the British Court-fee stamps in addition to the Court-fee stamps of the Native States. I have therefore the honour to request the favour of information whether an additional Court-fee is levied on a British Court decree when it is presented in a Native State Court for execution.

No. 1194.

Mysore Resident's Office,
Bangalore, the 21st February 1913.

A copy of the foregoing letter is forwarded herewith to the Government of His Highness the Maharaja of Mysore with the request that the information required may be furnished to this Residency.

First Assistant Resident.

(2)

G. R. S. 26]

65 File No. 213 of 1912-13
Serial No. 2

Diary No. of letter replied to

No. J 2519 Encl

General and Revenue Secretariat
( )
the 191 .

To

The Registrar,
Chief Court.

Date of issue 26-2-13

Signed by Mr S.P. Rajagopalachari

Sir,

I am directed to enquire whether an additional court-fee is levied on a British Court decree when it is presented for execution in any Court in this State. ~~and to request~~ the favour of an urgent reply is requested.

I have &c

S/D

For Offg Secy

over.

forward a copy of a letter No. 87 dated the Dt Judge Thana for information & regarding enquiry as to the practice in the case of a British Court decree presented in any

SUBJECT.

Offg
KG-129
2/2

Copy
25-2-13

CHIEF COURT OF MYSORE,

No: 3030/218

Bangalore, dated 5th March 1 9 1 3.

5th

DIARY No. J. 2472

1912-1913
SECTION Courts
FILE No. 213 of 1912-13
SERIAL No. 3

From,

The REGISTRAR of the
Chief Court of Mysore.

To,

The SECRETARY to the Govt: of Mysore,
General and Revenue Departments.

S i r,

With reference to your letter No. J. 2519/Cts. 213-12-2 dated the 26th February 1913, enquiring whether an additional court fee is levied on a British Court decree when it is presented for execution in the Mysore Courts, I am directed to state that no such fee is levied either in this State or in the C & M Station of Bangalore which has got its own Court Fees Act. Neither is any additional court fee levied, so far as the Chief Court is aware, in the Madras Courts on copies of decrees sent for execution to those courts by the courts in Native States authorised to send their decrees for execution in British India.

I am to add that the practice prevailing in Madras and in the Mysore State (including the C & M Station), appears to be perfectly correct. The only provision of law under which Court

fee

14

fee can be claimed to be levied on copies of decfees is Article No. 7 of Schedule I of ~~the~~ the Court Fees Act VII of 1870 in British India and Article No. 6 of Schedule I of the Court Fees Regulation III of 1900 in the Mysore State. The expressions - "Civil Court" and"Revenue Court" in those Articles refer, in the opinion of the Chief Court, to courts governed by the Court Fees Act VII of 1870 in the one case and the Court Fees Regulation III of 1900 in the other case and not to foreign courts.

I have the honour to be,

Sir,

Your most obedient servant,

Registrar.

N. G.

MV.

ab

12/31.5 Ct

G. R. S. 26]

File No. 2134
1912-13
Serial No. 4

Diary No. of letter replied to

Pol No. 779.

General and Revenue Secretariat
( )
the 191 .

To

The 7A. Resident in Mysore

Date of issue 13. 3. 1913.

Signed by Mr K. R. Srinivasaiengar

Sir,

With refee to your cust. letter no. 1194, dt the 21st Feby 1913, forwarding a copy of a letter from the Dist. Judge, Thana, enquiring whether an additional Court fee is levied on a British Court decree when it for execution is presented in a Native State Court, for execution I am directed to inform you State that no such additional court fee is

p. T. over.

SUBJECT.

Attd 7/3

required to be levied

levied in the courts of this State.

Have te

JPV

for Offg Secy to Govt

Dmm
10/3

CW
8/3

12/8/13

Dft
KG.-129
8/3/1913

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8-11.